



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

MAY 7 2007

Cleta Mitchell, Esq.
Foley & Lardner, LLP
Washington Harbour
3000 K Street, NW, Suite 500
Washington, D.C. 20007-5143

RE: MUR 5809
Christian Voter Project and Beverly Sheldon,
in her official capacity as treasurer

Dear Ms. Mitchell:

On April 19, 2007, the Federal Election Commission accepted the signed conciliation agreement submitted on your clients' behalf in settlement of violations of 2 U.S.C. §§ 434(g)(2)(A), 434(g)(1)(A), 434(b)(4) and 434(b)(6), and 11 C.F.R. § 104.4(b) and (c). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Thomas J. Andersen".

Thomas J. Andersen
Attorney

Enclosure
Conciliation Agreement

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1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2
3 In the Matter of)
4)
5 Christian Voter Project and) MUR 5809
6 Beverly Sheldon, in her official capacity)
7 as treasurer)
8)
9

10 **CONCILIATION AGREEMENT**

11
12 This matter was initiated by the Federal Election Commission ("Commission"), pursuant
13 to information ascertained in the normal course of carrying out its supervisory responsibilities.

14 The Commission found reason to believe the Christian Voter Project ("the Committee") and
15 Beverly Sheldon, in her official capacity as treasurer (collectively, "Respondents"), violated 2
16 U.S.C. §§ 434(g)(2)(A), 434(g)(1)(A), 434(b)(4) and 434(b)(6), provisions of the Federal
17 Election Campaign Act of 1971, as amended (the "Act"), and 11 C.F.R. § 104.4(b) and (c).

18 NOW, THEREFORE, the Commission and the Respondents, having participated in
19 informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree
20 as follows:

21 I. The Commission has jurisdiction over the Respondents and the subject matter of this
22 proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.
23 § 437g(a)(4)(A)(i).

24 II. Respondents have had a reasonable opportunity to demonstrate that no action should
25 be taken in this matter.

26 III. Respondents enter voluntarily into this agreement with the Commission.

27 IV. The pertinent facts in this matter are as follows:

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COUNSEL
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1 1. Christian Voter Project (the "Committee") is a political committee within the
2 meaning of 2 U.S.C. § 431(4).

3 2. Beverly Sheldon is the Committee's treasurer.

4 3. Under 2 U.S.C. § 434(g)(2)(A), a political committee that makes independent
5 expenditures "aggregating \$10,000 or more at any time up to and including the 20th day before
6 the date of an election shall file a report describing the expenditures within 48 hours." The
7 political committee must ensure that the Commission receives such reports by the end of the
8 second day "following the date on which a communication that constitutes an independent
9 expenditure is publicly distributed or otherwise publicly disseminated." 11 C.F.R. § 104.4(b)(2).

10 4. Under 2 U.S.C. § 434(g)(1)(A), a political committee that makes independent
11 expenditures "aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the
12 date of an election shall file a report describing the expenditures within 24 hours." The political
13 committee must ensure that the Commission receives such reports by the end of the day
14 "following the date on which a communication that constitutes an independent expenditure is
15 publicly distributed or otherwise publicly disseminated." 11 C.F.R. § 104.4(c).

16 5. Pursuant to 2 U.S.C. § 434(b)(4), political committees are required to disclose
17 "expenditures to meet . . . committee operating expenses" as well as "independent expenditures."
18 *See also* 11 C.F.R. § 104.3(b)(1)(i), (vii).

19 6. Pursuant to 2 U.S.C. § 434(b)(6)(B)(iii), political committees must disclose the
20 date of independent expenditures. *See also* 11 C.F.R. § 104.3(b)(3)(vii)(A).

21 7. The Committee's Amended 2004 April Quarterly Report indicated that it failed
22 to file four 48-Hour Notices concerning eight general election independent expenditures totaling

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1 \$97,473.10. The Committee's Amended 2004 July Quarterly Report showed the Committee
2 failed to file two 48-Hour Notices concerning nine general election independent expenditures
3 totaling \$52,761.50. The Committee also failed to file five such notices to support seventeen
4 general election independent expenditures totaling \$94,879.13 on the Amended October
5 Quarterly Report.

6 8. The Committee's Amended 2004 30-Day Post General Report showed that it
7 failed to file five 24-Hour notices concerning eleven general election independent expenditures
8 totaling \$49,023.87.

9 9. The Committee filed an Amended 2004 April Quarterly Report disclosing
10 \$104,887.05 in independent expenditures, compared to \$0 on its original report. An Amended
11 2005 Mid-Year Report disclosed a total of \$78,792.30 in additional disbursements, comprised of
12 \$58,656.74 in operating expenses (compared to \$0 on the original report) and \$20,135.56 in
13 independent expenditures (compared to \$0 on the original report).

14 10. In an Amended April Quarterly Report, covering the period from January 1,
15 2004 to March 31, 2004, the Committee omitted dissemination dates for independent
16 expenditures of \$50,906.52 reported as a debt during this period. Corresponding payments for
17 the debt were disclosed as Schedule E entries on later reports. In an Amended 2004 October
18 Quarterly Report, covering the period from July 1, 2004 to September 30, 2004, the Committee
19 omitted dissemination dates for independent expenditures of \$2,500 reported as a debt during
20 this period. In an Amended 30-Day Post-General Report, covering the period from October 1,
21 2004 to November 22, 2004, the Committee omitted dissemination dates for independent
22 expenditures of \$17,635.56 reported as a debt during this period. Corresponding payments for

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the debts reported on the October Quarterly and Post-General Reports were disclosed as
Schedule E entries on an Amended 2005 Mid-Year Report.

V. Respondents violated 2 U.S.C. § 434(g)(2)(A) and 11 C.F.R. § 104.4(b) by failing to
file 48-Hour Notices; 2 U.S.C. § 434(g)(1)(A) and 11 C.F.R. § 104.4(c) by failing to file 24-Hour
Notices, 2 U.S.C. § 434(b)(4) by failing to report additional disbursements and 2 U.S.C.
§ 434(b)(6) by failing to disclose the dates of independent expenditures.

VI. Respondents will take the following actions:

1. Respondents will pay a civil penalty to the Federal Election Commission in the
amount of Thirty-Eight Thousand Dollars (\$38,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

2. Respondents will cease and desist from violating 2 U.S.C. §§ 434(g)(2)(A),
434(g)(1)(A), 434(b)(4) and 434(b)(6), and 11 C.F.R. § 104.4(b) and (c).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C.
§ 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance
with this agreement. If the Commission believes that this agreement or any requirement thereof
has been violated, it may institute a civil action for relief in the United States District Court for
the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have
executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement
becomes effective to comply with and implement the requirements contained in this agreement
and to so notify the Commission.

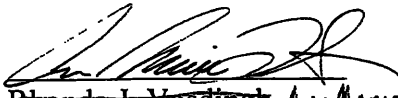
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1 X. This Conciliation Agreement constitutes the entire agreement between the parties
2 on the matters raised herein, and no other statement, promise, or agreement, either written or
3 oral, made by either party or by agents of either party, that is not contained in this written
4 agreement shall be enforceable.

5 FOR THE COMMISSION:

6 ~~Lawrence H. Norton~~ Thomasenia P. Duncan
7 ~~General Counsel~~

8 BY:

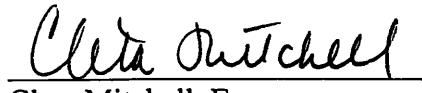
9 
10 Rhonda J. Vosdingh ANN MARIE TERZAKEN
11 Acting Associate General Counsel
for Enforcement

5/3/07
Date

12 FOR THE RESPONDENTS:

13 Christian Voter Project and Beverly Sheldon,
14 in her official capacity as Treasurer

15
16
17 BY:

18 
19 Cleta Mitchell, Esq.
20 Counsel for Respondents

4.2.07
Date

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